

LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

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BEFORE THE LOUISIANA STATE BOARD OF MEDICAL EXAMINERS

(504) _____

IN THE MATTER OF:

PAUL EDWARD PERKOWSKI, M.D.
(Certificate No. 023188),
Respondent

No. 16-A-012

CONSENT ORDER

Paul Edward Perkowski, M.D. ("Dr. Perkowski") is, and at all times pertinent hereto has been, a physician licensed to practice medicine in the State of Louisiana, as evidenced by License Number 023188. Dr. Perkowski practices in the field of vascular surgery in and around Baton Rouge, Louisiana.

The Board initiated an investigation upon notice from the National Practitioner Data Bank that Dr. Perkowski's clinical privileges were emergently suspended for thirty one days after he performed a surgical procedure on a patient who may not have been adequately anesthetized. During investigation of this incident, concerns surfaced regarding Dr. Perkowski's behavior and inadequate communication with anesthesia and with other providers in the operating room. After Dr. Perkowski underwent a mandatory evaluation, it was determined that Dr. Perkowski was safe to return to the practice of medicine but it was recommended that Dr. Perkowski receive ongoing treatment to address several issues, including those related to communication and physician burnout.

Predicated upon the information outlined above, the Director of Investigations ("DOI") has determined that reasonable cause exists to pursue administrative proceedings against Dr. Perkowski for violation of the Louisiana Medical Practice Act, La. Rev. Stat. § 37:1285 (A)(14) and (13).¹

As evidenced by his subscription hereto, Dr. Perkowski, without admitting any liability or violation of federal or state law or regulation, and for purposes of this Consent Order only,

¹ Pursuant to La. Rev. Stat. § 37:1285A, the Board may suspend, revoke or impose probationary terms, conditions or restrictions on a physician's license as a result of (14) Medical incompetency, including but not limited to, incompetency manifested by continuing or recurring medical practice which fails to satisfy the prevailing and usually accepted standards of medical practice in this state; (13) Unprofessional conduct.

acknowledges that such information would provide the DOI with a reasonable basis to initiate formal administrative proceedings against his license pursuant to the Louisiana Medical Practice Act, constituting cause for such action against the physician's license to practice medicine in the state of Louisiana as the Board may deem appropriate, pursuant to the Medical Practice Act.

Recognizing his right to written notification of any charges that may be asserted against him as a result of this investigation, as well as the right to administrative adjudication of such charges, at which time he would be entitled to be represented by legal counsel, to call witnesses and to present evidence in defense or in mitigation of the charges made and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to La. Rev. Stat. §§ 49:951 et seq., Dr. Perkowski, nonetheless, hereby waives his rights to notice, formal adjudication and written decision and, pursuant to La. Rev. Stat. § 49:955(D), consents to entry of the Order set forth hereinafter. Furthermore, Dr. Perkowski acknowledges that he hereby waives any right to which he may be entitled pursuant to the Louisiana Administrative Procedure Act, La. Rev. Stat. §§ 49:951 et seq., or to which he otherwise may be afforded by any law to contest his agreement to or the force and effect of the Board's investigation or this document in any court or other forum. By his subscription hereto, Dr. Perkowski also hereby authorizes the DOI to present this Consent Order to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation, and he waives any objection to such disclosures under La. Rev. Stat. § 49:960. Dr. Perkowski expressly acknowledges that the disclosure of such information to the Board by the DOI shall be without prejudice to the DOI's authority to proceed with the filing and adjudication of any administrative charges that may subsequently be filed in this matter against him, or to the Board's capacity to adjudicate such complaint should the Board decline to approve this Consent Order.

Accordingly, in consideration of the foregoing and pursuant to the authority vested in the Board by La. Rev. Stat. § 37:1285 and La. Rev. Stat. § 49:955(D);

IT IS ORDERED that Paul Edward Perkowski, M.D., is officially reprimanded by the Louisiana State Board of Medical Examiners for his unprofessional conduct.

IT IS FURTHER ORDERED that the license of Paul Edward Perkowski, M.D., to engage in the practice of medicine in the State of Louisiana, as evidenced by Certificate No. 023188 be, and the same is hereby, placed **ON PROBATION** for a period of two (2) years (the "probationary period"); *provided, however*, that Dr. Perkowski's continuing exercise of rights and privileges granted thereby, shall be conditioned upon and subject to his acceptance of and strict compliance with the following terms, conditions and restrictions:

1. **Continuing Treatment.** Dr. Perkowski shall, for the duration of the probationary period, continue treating with his current healthcare providers or obtain prior written approval from the Board to change providers. Dr. Perkowski shall, in addition, authorize and cause his treating physician(s) and providers to submit to the Board not less frequently than quarterly throughout the probationary period, written reports (or verbal reports, should the Board desire verbal reports) on his then-current treatment diagnosis, prognosis, course of treatment, his fitness and ability to practice medicine with reasonable skill and safety to patients, and his compliance with the terms, conditions, and restrictions of this Order.

2. **Physician Coaching and Monitoring.** Dr. Perkowski shall enroll in and successfully complete a physician coaching and monitoring program (the "Program") that has been pre-approved in writing by the Board. In addition to training and/or coaching, the Program shall conduct independent monitoring. Dr. Perkowski shall cooperate with and facilitate the monitoring activities of the Program, and he shall authorize and cause the Program to submit to the Board not less frequently than quarterly throughout the probationary period, written reports (or verbal reports, should the Board desire verbal reports) on Dr. Perkowski's workplace behavior and his compliance with and progress in the program.
3. **Professional Patient Care.** This Consent Order is conditioned on Dr. Perkowski's strict compliance with the terms of his probation and no recurrence of the type of conduct that underlies this Order. Dr. Perkowski hereby agrees that, should he engage in conduct that adversely affects patient care, he will self-report such conduct to the Board and voluntarily take a leave of absence from practice to get the necessary treatment. However, nothing in this provision limits the rights of the Board to further investigate any complaints made to the Board regarding Dr. Perkowski and to take any other action the Board deems appropriate, including the institution of further administrative proceedings.
4. **Continuing Medical Education.** Dr. Perkowski shall obtain not less than forty (40) credit hours per year for each of the two (2) years of his probationary period through attendance at and participation in continuing medical education ("CME") programs accredited by the American Medical Association. On or before the anniversary date of the effective date of this Consent Order, for each of the next two (2) years, Dr. Perkowski shall cause to be submitted to the Board written certification of the CME programs and credits completed by him during the preceding twelve (12) months.
5. **Absence from the State/Practice/Effect on Probation.** Should Dr. Perkowski at any time during the period of probation ordered herein be absent from the state of Louisiana, relocate to and/or take up residency in another state or country, or discontinue practicing as a physician, for a period of thirty (30) consecutive days or more, he will so advise the Board in writing. In such instance, the probationary period ordered herein shall be deemed interrupted and extended for no less than the period of time during which he was not engaged in practice or was absent from the state of Louisiana; however, all terms and conditions may continue to be in effect as ordered or may be modified or altered as needed at the Board's discretion.
6. **Notification.** Dr. Perkowski shall provide a complete copy of this Order to each hospital, clinic, facility or other employer or prospective employer at which or for whom he provides services as a physician in this state.
7. **Cooperation with Board's Probation and Compliance Officer.** Dr. Perkowski shall immediately notify the Board's Probation and Compliance Officer of any change in his current home and professional addresses and telephone numbers, and he shall direct all matters required pursuant to this Consent Order to the attention of the Probation and

Compliance Officer, with whom he shall cooperate on all matters and inquiries pertaining to his compliance with the terms and conditions of this Consent Order.

8. **Probation Monitoring Fee.** For each year of the probationary period, Dr. Perkowski shall pay the Board a probation monitoring fee of Three Hundred (\$300.00) Dollars. Payment of the initial fee shall be due not later than sixty (60) days from the effective date of this Order. All subsequent annual payments shall be due on or before the anniversary date of the initial fee payment.
9. **Certification of Compliance with Probationary Terms/Personal Appearance.** At least sixty (60) days prior to the conclusion of the probationary period imposed herein, Dr. Perkowski shall provide the Board with an affidavit certifying that he has complied with each of the terms of probation imposed by this Order and he shall contact the Board and arrange for a personal appearance before the Board at its meeting preceding the expiration of his probationary period. The probationary period and all of its terms and conditions shall be, and shall be deemed to be, extended and continued in full force and effect pending Dr. Perkowski's compliance with the requirements of this provision.

IT IS FURTHER ORDERED that this Consent Order shall be, and shall be deemed to be, a public record.

Signed at New Orleans, Louisiana, and effective on this 8th day of May, 2017.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

BY: K. Barton Farris
KENNETH BARTON FARRIS, M.D.
President

*Acknowledgement and Consent
Follows on Next Page*

ACKNOWLEDGMENT
AND CONSENT

STATE OF LOUISIANA
PARISH OF EAST BATON ROUGE

I, Paul Edward Perkowski, M.D. hereby acknowledge, approve, accept and consent to entry of the above and foregoing Order, this 3RD day of MAY, 2017.


PAUL EDWARD PERKOWSKI, M.D.

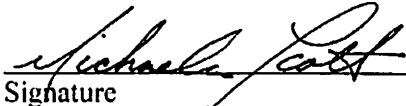
WITNESSES:


Signature

JOAN L. JARDELL
Typed Name

112 FOUNDERS DRIVE
Street Address

BATON ROUGE, LA 70810.
City/State/Zip Code


Signature

Michaela Scott
Typed Name

112 Founders Drive
Street Address

Baton Rouge, LA 70810
City/State/Zip Code

Sworn to and subscribed before me this 3RD day of MAY, 2017, in the presence of the two stated witnesses.


Notary Public (Signature and Seal)

Danielle Nicole Goren
Printed Name/Notary or Bar Number
124473 34563
Comm. for life